

Message Text

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TAGS: EFIS XP CA

SUBJ: PROPOSAL FOR USG- GOC COOPERATION IN ENFORCEMENT OF
TUNA CONSERVATION MEASURES

A. EMBASSY IS REQUESTED TO PRESENT NOTE WITH FOLLOWING SUB-
STANCE TO EXTERNAL AFFAIRS FOR DEPARTMENT OF FISHERIES.
SIMILAR DRAFT WAS PASSED INFORMALLY TO FISHERIES DIRECTOR
LEVELTON DURING RECENT FISHERY TALKS IN WASHINGTON. IT
WOULD BE APPRECIATED IF NOTE COULD BE PRESENTED BEFORE END
OF WEEK, AS WE UNDERSTAND LEVELTON AND OTHER TOP GOC
FISHERY OFFICIALS WILL BE SPENDING NEXT TWO WEEKS ON WEST
COAST.

B. BEGIN TEXT. CURRENT FISHING SEASON FOR YELLOWFIN TUNA
IN EASTERN TROPICAL PACIFIC OCEAN UNDER CONSERVATION REGULA-
TIONS RECOMMENDED BY INTER- AMERICAN TROPICAL TUNA COMMISSION
APPEARS LIKELY TO PRESENT MORE SERIOUS PROBLEMS OF ENFORCE-
MENT THAN PAST SEASONS- ENFORCEMENT PROBLEMS IN PAST WERE
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TOLERABLE, OWING TO SET OF UNIQUE CIRCUMSTANCES. THAT IS, COMMISSION RULES, BY ESTABLISHING SPECIAL EXEMPTIONS AND ALLOCATIONS, HAD FOR ALL PRACTICAL PURPOSES SPARED MOST MEMBER COUNTRIES NEED TO REGULATE THEIR FISHERMEN. ALSO, FEW OR NO NON- MEMBER COUNTRY VESSELS WERE FISHING IN COMMISSION'S REGULATORY AREA. THIS YEAR, HOWEVER, PROBLEMS ARE MORE SERIOUS, BECAUSE FLEETS OF MEMBER COUNTRIES HAVE GROWN LARGER, ESPECIALLY BY ADDITION OF LARGE SEINERS NOT

ENTITLED TO SPECIAL CLOSED SEASON ALLOCATIONS, AND SUBSTANTIAL NUMBER OF VESSELS FROM NON- MEMBER COUNTRIES ARE OPERATING IN AREA. DURING PAST SEVERAL YEARS, USG HAS RECEIVED REPORTS FROM US FISHERMEN, SOME OF WHOM HAVE CLOSE CONTACTS WITH US CAPTAINS OF SEVERAL LARGE CANADIAN FLAG SEINERS, THAT SOME CANADIAN VESSELS ARE AMONG THOSE WHICH HAVE IGNORED IATTC CONSERVATION MEASURES BY FISHING FOR YELLOWFIN IN COMMISSION'S REGULATORY AREA DURING CLOSED SEASON.

USG IS DISTURBED BY PROSPECT OF NON- ENFORCEMENT DURING 1973 CLOSED SEASON AND FEELS THAT ACTION MUST BE TAKEN TO PREVENT AND DETECT VIOLATIONS BY VESSELS OF ALL COUNTRIES PARTICIPATING IN FISHERY. EFFECTIVE ENFORCEMENT BY ALL PARTICIPATING COUNTRIES PRESENTS DIFFICULT AND COMPLEX PROBLEMS FOR WHICH FINAL SOLUTION MAY REQUIRE CONSIDERABLE TIME AND EFFORT. US INTENDS TO WORK TOWARD GENERAL SOLUTION AND HOPES TO BE IN POSITION TO MAKE SPECIFIC PROPOSALS AT NEXT IATTC MEETING IN NOVEMBER. MEANWHILE, US HOPES THAT SOME IMMEDIATE MEASURES CAN BE PUT INTO EFFECT TO DEAL WITH VIOLATIONS DURING CURRENT CLOSED SEASON. US AUTHORITIES HAVE ON SEVERAL OCCASIONS DISCUSSED INFORMALLY WITH CANADIAN FISHERY OFFICIALS POSSIBILITY OF CANADA'S MAKING USE OF SUCCESSFUL ELEMENTS OF US ENFORCEMENT SYSTEM IN COOPERATION WITH US ENFORCEMENT AGENCIES IN ORDER TO HELP DETECT AND PREVENT POSSIBLE VIOLATIONS BY CANADIAN VESSELS.

US HAS OVER THE YEARS DEVELOPED EFFECTIVE ENFORCEMENT SYSTEM WHICH (1) REQUIRES US VESSELS CLAIMING TO BE OPERATING OUTSIDE COMMISSION'S REGULATORY AREA TO REPORT REGULARLY TO US COAST GUARD RADIO STATION, (2) USES HIGH UNCLASSIFIED

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FREQUENCY DIRECTION FINDER FACILITIES TO VERIFY POSITIONS OF VESSELS, AND (3) WHEN VIOLATIONS ARE INDICATED, USES COAST GUARD AIRCRAFT TO COLLECT VISUAL EVIDENCE OF VIOLATIONS. AS HAS BEEN INFORMALLY SUGGESTED IN PAST, US FEELS THAT IT WOULD BE USEFUL IF CANADIAN VESSELS COULD BE REQUIRED TO INVOLVE THEMSELVES IN THIS ENFORCEMENT SYSTEM. USG REALIZES THAT THERE MAY BE POLITICAL AND POSSIBLY LEGAL

PROBLEMS FOR GOC IN ESTABLISHING SUCH REQUIREMENT BUT CONSIDERS IT PROBABLE THAT THESE PROBLEMS COULD BE LARGELY AVOIDED IF CANADIAN ENFORCEMENT OFFICERS COULD BE INVOLVED IN FINAL STEPS OF ENFORCEMENT PROCESS.

SPECIFICALLY, VALUABLE FIRST STEP WOULD BE FOR CANADA TO REQUIRE ITS VESSELS OPERATING OUTSIDE COMMISSION'S REGULATORY AREA TO REPORT, EITHER TO CANADIAN RADIO STATION OR TO US COAST GUARD STATION, IN MANNER WHICH WOULD PERMIT

VERIFICATION OF THEIR POSITIONS BY US RADIO DIRECTION FINDER TRIANGULATION. IT IS OUR UNDERSTANDING THAT MANY CANADIAN VESSELS MAKE RADIO REPORTS ROUTINELY AT PRESENT TIME.

IF APPARENT VIOLATION BY CANADIAN VESSEL WAS DETECTED, CANADIAN AUTHORITIES WOULD BE INFORMED AND COULD DEPLOY SURVEILLANCE AIRCRAFT FOR PURPOSE OF OBTAINING EVIDENCE. IF GOC FOUND SUCH DEPLOYMENT DURING 1973 CLOSED SEASON PRESENTED PROBLEMS, US WOULD BE WILLING TO HAVE CANADIAN OFFICERS ACCOMPANY US ENFORCEMENT OFFICIALS ON COAST GUARD AIRCRAFT TO CHECK ON APPARENT VIOLATION BY CANADIAN VESSEL, ASSUMING GOC WOULD BE IN POSITION TO OFFER REIMBURSEMENT FOR COST OF SUCH FLIGHT. IF VIOLATION WERE INDICATED FOR CANADIAN VESSEL AS WELL AS FOR US VESSEL AT SAME TIME AND AREA, ARRANGEMENTS COULD BE MADE FOR GOC OFFICIALS TO ACCOMPANY FLIGHT AT NO COST TO CANADA.

IN VIEW OF USG, LOGISTICAL PROBLEMS SHOULD BE SOLVABLE WITHOUT GREAT DIFFICULTY PROVIDED PROBLEMS OF PRINCIPLE DO NOT PROVE INTRACTABLE. IT SHOULD BE STRESSED ONCE AGAIN THAT USG CONSIDERS THIS AN URGENT PROBLEM ON WHICH ACTION MUST BE TAKEN THIS FISHING YEAR AND PROMPTLY, SINCE SEASON CLOSURE HAS BEEN CALLED AND DANGER OF VIOLATIONS IS UNCLASSIFIED

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GROWING DAILY. ROGERS

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